

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

BIRMINGHAM PLUMBERS AND
STEAMFITTERS LOCAL UNION NO. 91
HEALTH AND WELFARE TRUST
FUND,

Plaintiff,

v.

BLUE CROSS BLUE SHIELD OF
ALABAMA,

Defendant.

Case Number: 2:17-cv-00443-JHE

DISMISSAL ORDER¹

In accordance with the memorandum opinion entered contemporaneously herewith, the complaint fails to state a claim upon which relief can be granted. Accordingly, Defendant Blue Cross Blue Shield of Alabama's motion to dismiss, (doc. 8), is **GRANTED**. This action is **DISMISSED**.

The parties shall bear their own respective costs.

DONE this 8th day of March, 2018.



JOHN H. ENGLAND, III
UNITED STATES MAGISTRATE JUDGE

¹ In accordance with the provisions of 28 U.S.C. § 636(c) and Federal Rule of Civil Procedure 73, the parties have voluntarily consented to have a United States Magistrate Judge conduct any and all proceedings, including trial and the entry of final judgment. (Doc. 17).